

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALEX ALFONSO SALAVERRIA,
 Plaintiff

Case No. 2:24-cv-00353-JAD-NJK

v.

NEVADA STATE DEPARTMENT OF
 JUSTICE, et al.,
 Defendants

**Order Adopting Report and
 Recommendation; Dismissing
 and Closing Case**

On April 18, 2024, the magistrate judge entered the following report and recommendation [ECF No. 4]:

On February 16, 2024, Plaintiff filed an application to proceed *in forma pauperis*. Docket No. 1. On February 21, 2024, the Court denied that application as incomplete. Docket No. 3. The Court ordered Plaintiff to either file a fully complete application to proceed *in forma pauperis* or pay the filing fee. *Id.* at 2. The deadline to comply was set for March 21, 2024, and the Court warned that failing to comply will subject the case to dismissal without prejudice. *Id.* Notwithstanding that warning, Plaintiff has not filed a renewed application to proceed *in forma pauperis*, has not paid the filing fee, and has not sought an extension of the compliance deadline.

This case cannot proceed without Plaintiff either paying the filing fee or filing an application to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); *see also* 28 U.S.C. § 1915(a). Having refused to do either in this case, Plaintiff's complaint is subject to dismissal. *E.g., Desai v. Biden*, 2021 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021), *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).


Moreover, Plaintiff's refusal to comply with the Court's order is an abusive litigation practice that has interfered with the Court's ability to hear this case, delayed litigation, disrupted the Court's timely management of its docket, wasted judicial resources, and threatened the integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than dismissal are unavailable because Plaintiff has refused to comply with the order of this Court notwithstanding the warning that case-dispositive sanctions may be imposed.

1 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
2 prejudice.

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5 **ORDER ADOPTING REPORT AND RECOMMENDATION**

6 The deadline for any party to object to this recommendation was May 2, 2024, and no
7 party filed anything or asked to extend the deadline to do so. “[N]o review is required of a
8 magistrate judge’s report and recommendation unless objections are filed.” *United States v.*
9 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Having reviewed the report and
10 recommendation, I find good cause to adopt it, and I do. IT IS THEREFORE ORDERED that
11 the Magistrate Judge’s Report and Recommendation [ECF No. 4] is **ADOPTED** in its entirety.
12 **This case is DISMISSED without prejudice, and the Clerk of Court is directed to CLOSE**
13 **THIS CASE.**

14 Dated: May 6, 2024

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U.S. District Judge